

**Senate Bill No. 372**

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Passed the Senate September 11, 2009

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*Secretary of the Senate*

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Passed the Assembly September 11, 2009

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 5019.50 of the Public Resources Code, relating to state parks.

## LEGISLATIVE COUNSEL'S DIGEST

SB 372, Kehoe. State parks system: unit modification, adjustment, or removal.

Existing law requires that all units of the state park system be classified by the State Park and Recreation Commission into one of several categories.

This bill would prohibit, with exceptions, a modification or adjustment of boundaries or uses of state park units, that lie within a unit of the state park system, that is incompatible with state park purposes and that would significantly reduce public use or the material, cultural, or historic significance of the unit, as determined by the Director of Parks and Recreation, or the removal of state park units from within the state park system, without the commission making that recommendation to the Legislature, as prescribed, and the Legislature enacting legislation or adopting a resolution approving the recommendation.

*The people of the State of California do enact as follows:*

SECTION 1. Section 5019.50 of the Public Resources Code is amended to read:

5019.50. (a) All units that are or shall become a part of the state park system, except those units or parts of units designated by the Legislature as wilderness areas pursuant to Chapter 1.3 (commencing with Section 5093.30), or where subject to any other provision of law, including Section 5019.80 and Article 1 (commencing with Section 36600) of Chapter 7 of Division 27, shall be classified by the State Park and Recreation Commission into one of the categories specified in this article. Classification of state marine reserves, state marine parks, and state marine conservation areas require the concurrence of the Fish and Game Commission for restrictions to be placed upon the use of living marine resources.

(b) A modification or adjustment of boundaries or uses of state park units, that lie within a designated unit of the state park system, that is incompatible with state park purposes and that would significantly reduce public use or the material, cultural, or historic significance of the state park unit, as determined by the Director of Parks and Recreation, or the removal of state park units from within the state park system shall require a recommendation for that modification, adjustment, or removal by the State Park and Recreation Commission to the Legislature and that the Legislature enact legislation or adopt a resolution approving the recommendation.

(c) In making its recommendation, the commission shall identify, in a report to the Legislature, how the modification or adjustment will change the mission, purposes, and management objectives for the state park unit, and the commission shall certify that no feasible alternatives exist and the modification or adjustment of the boundaries or use serves a public necessity.

(d) (1) This section shall not apply to existing uses of state park lands that have been authorized on or before January 1, 2010, by existing permits, deeds, easements, a memorandum of understanding, or other written agreement with the department or by the general plan for a state park unit.

(2) This subdivision does not expand or facilitate the use of state park lands beyond the current use allowed on or before January 1, 2010, by written agreement with the department.

Approved \_\_\_\_\_, 2009

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*Governor*